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January 9, 2006

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Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Art Unit 2661 Mail Stop Amendment

Re: U.S. Utility Patent Application

Appl. No. 10/809,685; Filed: March 26, 2004

For: Method and Apparatus for Maintaining

Synchronization in a Communication System

Inventors:

Kolze et al.

Our Ref:

1875.4070001

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Information Disclosure Statement;
- 2. Form PTO/SB/08A listing two (2) documents and accompanied by one (1) document;
- 3. Form PTO/SB/08B listing and accompanied by one (1) document; and
- 4. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

\$terne, Kessler, Goydstein & Fox p.l.l.c.

Thomas C. Fiala

Attorney for Applicants Registration No. 43,610

Com

TCF/BSW/sjc Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kolze et al.

Appl. No.: 10/809,685

Filed: March 26, 2004

For: Method and Apparatus for

Maintaining Synchronization in a

Communication System

Confirmation No.: 7878

Art Unit: 2661

Examiner: (to be assigned)

Atty. Docket: 1875.4070001

Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this
 Information Disclosure Statement was first cited in a communication from a
 foreign patent office in a counterpart application and this communication was not
 received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty
 days prior to the filing of this information disclosure statement.
- 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure

 Atty. Dkt. No. 1875.4070001

Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p).
- 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
 - a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign

patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ∑ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- 6. A concise explanation of the relevance of the non-English language document(s) appears below in accordance with 37 C.F.R. § 1.98(a)(3).
- 7. Copies of documents FP1 and NPL1 are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached IDS Forms are submitted.
- 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No._______, filed

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	, which is relied upon for an earlier filing date under 35 U.S.C.
	§ 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
9 .	It is expected that the examiner will review the prosecution and cited art in the
	parent application no(s) in accordance with MPEP 2001.06(b), and
	indicate in the next communication from the office that the art cited in the earlier
	prosecution history has been reviewed in connection with the present application.
	It is respectfully requested that the Examiner initial and return a copy of the

that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee

deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

enclosed IDS Forms, and indicate in the official file wrapper of this patent application

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Thomas C. Fiala

Attorney for Applicants Registration No. 43,610

Date:

1/9/06

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

1

Complete if Known		
Application Number	10/809,685	
Filing Date	March 26, 2004	
First Named Inventor	Thomas Kolze	
Art Unit	2661	
Examiner Name	(to be assigned)	
Attorney Docket Number	1875.4070001	

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		Number-Kind Code ^{2 (If Known)}		Applicant of Cited Document		
,	US1	6,356,555	03-12-2002	Rakib et al.		
	US2					
	US3					
	US4					
	US5					
	US6					
	US7					
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Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where	
		Country Code ³ Number ⁴ Kind Code ³ (if known)			Relevant Passages or Relevant Figures Appear	T ⁶
	FP1	EP 1 024 618 A2	08-02-2000	Siemens Aktiengesellschaft		
	FP2					
	FP3					
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	FP5					
	FP6					
	FP7					
	FP8					
	FP9					

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Examiner	Date	
Signature	Considered	

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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1875.4070001

the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Substitute for form 1449/PTO Complete if Known 10/809,685 **Application Number** INFORMATION DISCLOSURE March 26, 2004 Filing Date First Named Inventor Thomas Kolze STATEMENT BY APPLICANT 2661 Art Unit (Use as many sheets as necessary) (to be assigned) **Examiner Name**

Attorney Docket Number

Sheet

Examiner Signature of

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*					
	NPL1	European Search Report, issued in Appl. No. EP04008793.4, dated December 8, 2005, (3 pages).			
	NPL2				
	NPL3				
	NPL4				
	NPL5				
	NPL6				
_	NPL7				
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